

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NORTH CAROLINA
RALEIGH DIVISION

JOSEPH MICHAEL SANER,)	Case No. 09-00376-8-ATS
)	
)	Chapter 7
Debtor.)	

NOTICE OF PROPOSED PUBLIC SALE AND COMPENSATION OF AUCTIONEER

TO: All Creditors of Joseph Michael Saner and all other interested parties

Holmes P. Harden, Trustee for the above-referenced debtor hereby gives notice that the Trustee proposes to sell to debtor, without confirmation of the court, the debtor's 2003 Cadillac DTS VIN#1G6KF57943U150864. Said sale will take place on May 15, 2009 at Country Boys Auction and Realty, Inc. Sale Yard #2 located 5 miles west of Washington, NC on Highway 264 at 10:00 a.m. The vehicle is valued in debtor's schedules at \$8,000.00

Simultaneously with the filing of this Notice, the trustee has filed an application with the court to approve the employment of Country Boys Auction and Realty Company, Inc. as auctioneer, whose compensation shall be fixed at a rate not greater than the following: 20% on first \$20,000, 10% on next \$50,000, and 4% on the balance.

In addition, the auctioneer shall be reimbursed for all necessary expenses of sale as listed on the Application for Employment of Auctioneer. Such compensation and reimbursement of expenses shall be subject to final review by the court without further notice.

An objection to the proposed public sale and compensation of auctioneer may be filed with the Clerk, United States Bankruptcy Court, Post Office Box 1441, Raleigh, North Carolina 27602, within 15 (fifteen) days of the date of this notice with a copy served on the trustee whose name appears at the bottom of this notice. A hearing on any objections to this notice of proposed public sale and compensation of auctioneer will be held on May 12, 2009 at 9:00 a.m. at the United States Courthouse and Post Office Building, Room 208, 300 Fayetteville Street Mall, Raleigh, North Carolina. Any party requesting a hearing shall appear at said hearing in support of such request or he may be assessed with costs.

Date of mailing: April 9, 2009

WILLIAMS MULLEN

BY: 

Holmes P. Harden
State Bar No. 9835
Trustee for Debtor
3200 Beechleaf Court
Post Office Drawer 19764
Raleigh, North Carolina 27619-9764
Telephone: 919/981-4000

CERTIFICATE OF SERVICE

I, Holmes P. Harden, Trustee do hereby certify that the foregoing Notice of Proposed Public Sale and Compensation of Auctioneer was served upon all parties of record by mailing a copy thereof to their counsel of record at the addresses indicated below with the proper postage attached and deposited in an official depository under the exclusive care and custody of the United States Postal Service in Raleigh, North Carolina, on the 9th day of April, 2009.

WILLIAMS MULLEN

BY: /s/ Holmes P. Harden

Holmes P. Harden

N. C. State Bar No. 9835

Post Office Drawer 19764

Raleigh, NC 27619

Telephone: (919) 981-4000

SERVED:

Marjorie K. Lynch

Bankruptcy Administrator

P. O. Box 3758

Wilson, NC 27895-3758

Joseph Michael Saner

7908 Melcombe Way

Wake Forest, NC 27587

Nikki Saner

7908 Melcombe Way

Wake Forest, NC 27587

Michael Jacula

1002 Durham Road, Ste. 1000

Wake Forest, NC 27587

Mike Gurkins

Country Boys Auction & Realty Company, Inc.

1211 West Fifth Street

P. O. Box 1903

Washington, NC 27889

All parties on the attached creditor matrix

Label Matrix for local noticing
0417-8
Case 09-00376-8-ATS
Eastern District of North Carolina
Wilson
Thu Apr 9 12:18:02 EDT 2009

(p)BB AND T
PO BOX 1847
WILSON NC 27894-1847

Bankruptcy Administrator
PO Box 3758
Wilson, NC 27895-3758

Capital City Cardinal Club
Po Box 2658
Raleigh, NC 27602-2658

Carrie Saner
7908 Melcombe Way
Wake Forest, NC 27587-5310

Chase Manhattan
ATT: BANKRUPTCY RESEARCH
3415 VISION DR
COLUMBUS, OH 43219-6009

DSNB MACYS
9111 DUKE BLVD
MASON, OH 45040-8999

Employment Security Commission
PO Box 26504
Raleigh, NC 27611-6504

FIA CSNA
PO BOX 26012
NC4-105-02-77
GREENSBORO, NC 27420-6012

First Data Global Leasing
4000 Coral Ridge Drive
Pompano Beach, FL 33065-7614

Holmes P Harden
Williams Mullen
A Professional Corporation
P. O. Drawer 19764
Raleigh, NC 27619-9764

(p)INTERNAL REVENUE SERVICE
CENTRALIZED INSOLVENCY OPERATIONS
PO BOX 21126
PHILADELPHIA PA 19114-0326

Michael Jacula
The Law Office of Michael Jacula PC
1002 Durham Road, Suite 1000
Wake Forest, NC 27587-9173

Marjorie K. Lynch
Bankruptcy Administrator
PO Box 3758
Wilson, NC 27895-3758

North Carolina Department of Rev.
Office Services Division
Bankruptcy Unit
Raleigh, NC 27602-1168

Michael Joseph Saner
7908 Melcombe Way
Wake Forest, NC 27587-5310

A. Thomas Small
Raleigh, NC 28601

Stephen Dunn
23 Willowbridge Drive
Durham, NC 27707-5457

TNB - Visa
PO BOX 9475
MINNEAPOLIS, MN 55440-9475

VOYSS Solutions
725 11th Avenue Blvd.
Hickory, NC 28602-3462

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

BB&T
BANKRUPTCY
PO Box 1847
Wilson, NC 27894-1847

(d)BB&T
Mr. Jack R. Hayes
PO Box 1847
Wilson, NC 27894-1847

Internal Revenue Service
ATTN: Special Procedure Staff
320 Federal Place
Greensboro, NC 27402

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.